

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit: 1637
Lau et al.)
Serial No.: 10/780,963)
Filed: February 18, 2004)
For: Polyelectrolyte-Coated Size-Exclusion)
Ion-Exchange Particles)
Confirmation No.: 1685)
)

Supplemental Declaration of Aldrich N.K. Lau Under 37 CFR 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Aldrich N. K. Lau, declare and affirm as follows:

1. I am a Scientific Fellow in Research and Development for the Applied Biosystems, LLC, in Foster City, California.
2. I hold a Ph.D. in synthetic organic chemistry, held a three year appointment as a Postdoctoral Fellow, and have 27 years experience in R&D in the private sector. I am the author or coauthor of over 19 scientific publications, as well as a named inventor on 18 issued US patents, as well as 24 US published patent applications.
3. I am an inventor on the present patent application (ASN 10/780,963).
4. I am familiar with the field of materials science related to biological analysis and during my work at Applied Biosystems, and I have become highly familiar with the field of the preparation of polynucleic acid-containing samples for analysis.

5. I have been advised that in an Office Action dated March 30, 2009 the patent Examiner expressed concern that my January 14, 2009 declaration did not sufficiently address certain issues regarding my work on the polyelectrolyte particles of the present application.
6. I would like to supplement my January 14, 2009 declaration by stating that my work in inventing the polyelectrolyte coated particles of the present application included consideration of their use for purifying PCR reaction products and sequencing reaction products according to the methods set forth in pending claims 21 and 45 of this application. I note that my microencapsulated particles were described in Hennessy '702 as being used for purifying PCR reaction products and sequencing reaction products. One of the primary purposes of my research and development of the polyelectrolyte coated particles of the present application was to provide an alternative particle for those same end-users, where the size exclusion properties of the polyelectrolyte coated particles is suited for the methods as set forth in claims 21 and 45.
7. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 30, 2009

Date



Aldrich N. K. Lau